

Notice of Allowability

Application No.

10/719,671

Examiner

Ruth C. Rodriguez

Applicant(s)

COLLINS ET AL.

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed on 31 May 2005.
2. ☒ The allowed claim(s) is/are 16-20, 66-71, 27-29, 44-48 and 55-57 that will be renumbered 1-22 respectively.
3. ☒ The drawings filed on 21 November 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ted R. Rittmaster on 10 June 2005.

The application has been amended as follows:

Claim 16, line 10, "and" (second occurrence) has been deleted.

Claim 16, line 13, --; and wherein the first foot has a locking mechanism for securing the clip to the personal device-- has been inserted between "configuration" and the ending period.

Claim 44, line 12, "and" (second occurrence) has been deleted.

Claim 44, line 15, --; and wherein the first foot has a locking mechanism for securing the clip to the personal device-- has been inserted between "configuration" and the ending period.

Claims 66-71 have been added after canceled claim 65 and read as follows:

--66. The mounting clip of claim 16, wherein the first foot includes channels formed thereon for providing inward flexibility to the first foot.

67. The mounting clip of claim 66, wherein the channels extend lengthwise on the first foot in the direction of engagement with the personal device.

68. The mounting clip of claim 16, wherein the first foot includes engagement stops for abutting against corresponding surfaces of the personal device.

69. The mounting clip of claim 16, wherein the locking mechanism includes a snap tab beam locking mechanism having a barb for interlocking with a bump provided on the personal device for locking the mounting clip to the personal device.

70. The mounting clip of claim 69, wherein the barb interlocks with a bump provided on a housing of the personal device.

71. The mounting clip of claim 69, wherein the snap tab beam locking mechanism is integrally formed with the foot portion.--

The following is an examiner's statement of reasons for allowance:

For claim 16, Oyamada discloses a clip that removably attaches a personal device on a supporting member and comprises a first foot, a second foot, a leg portion and a lever. The first foot frictionally attaches the mounting clip to a first portion of the personal device. The second foot frictionally attaches the mounting clip to a second portion of the personal device. The leg portion connects the first foot to the second foot. The lever is hingedly attached to the leg portion. The lever rotates relative to the leg portion for positioning the support member between the lever and leg portion. The first foot includes a protrusion that snaps into a recess provided in the personal device. Oyamada fails to disclose that the first foot has a dovetail configuration in a cascading

form that slides-on and slides-off of the personal device and that the first foot also includes a locking mechanism to secure the clip to the personal device. The other prior art of record also fails to disclose a mounting clip that has a first foot, a second foot and a leg portion that connects the first foot to the second foot where a first foot includes a cascading dovetail configuration that slides on and off a portable device and a locking means to keep the clip connected to the portable device. Accordingly, it would not have been obvious to one having ordinary skill in the art at the time the invention was made to have a first foot of a clip being provided with a dovetail configuration that slides on and off of a portable device and that is secured to the portable device through a locking mechanism that is also being provided in the first leg.

Regarding claim 27, Oyamada discloses a clip having all the features disclosed above. Oyamada fails to disclose that the first foot includes a rotatable locking mechanism provided with at least one radial snap tabs that have engagement elements that engage corresponding surfaces on the mounting clip. Likewise, it would not have been obvious to one having ordinary skill in the art at the time of applicant's invention to have a rotatable locking mechanism that engage corresponding surfaces on the mounting clip and that will secure the first foot to the portable device.

For claim 44, the same reasons for allowance of claim 16 apply to claim 44 since claim 44 is directed to a portable device that uses a clip having all the features disclosed for claim 16.

Regarding claim 55, the same reasons for allowance of claim 27 apply to claim 55 since claim 55 is directed to a portable device that uses a clip having all the features disclosed for claim 27.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mooney et al. (US 4,635,836), Budano, II et al. (US 4,741,074), Guzik et al. (US 4,828,153), Oyamada (US 4,881,150), Long et al. (US 5,261,583), Castilla et al. (US 5,528,770), Goldenberg et al. (US 5,697,538), Rankin, Jr. et al. (US 6,032,337), Phillips (US 6,073,318), Lim (US 6,176,401 B1), Kamiya (US 6,311,881 B1), Shelter et al. (US 6,752,299 B2), Rivera et al. (US 2003/0141332 A1) and Japanese Patent Document JP 404187102 A are cited to show state of the art with respect to mounting clips having some of the features being claimed by the current application

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth C Rodriguez whose telephone number is (571) 272-7070. The examiner can normally be reached on M-F 07:15 - 15:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075.

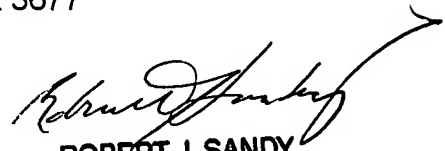
Submissions of your responses by facsimile transmission are encouraged. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-6640.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ruth C. Rodriguez
Patent Examiner
Art Unit 3677

rcr
rcr
June 10, 2005


ROBERT J. SANDY
PRIMARY EXAMINER